IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 658 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE D.C.SRIVASTAVA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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P S PATEL

Versus

COMMISSIONER OF HIGHER EDUCATION

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Appearance:

MR PK JANI for Petitioner

NOTICE SERVED for Respondent No. 1, 3

MR MITUL K SHELAT for Respondent No. 2

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CORAM : MR.JUSTICE D.C.SRIVASTAVA

Date of decision: 15/01/2001

ORAL JUDGEMENT

1. Draft amendment tendered today is allowed. Necessary amendments in the writ petition be made today.

2. With the consent on behalf of Shri PK Jani for

the petitioner, Shri MK Shelat for the respondent no.2 and Shri RC Kodekar, learned AGP representing the respondent no.1, this petition is proposed to be disposed of finally at the admission stage. Respondent no.3 is served but, none has appeared on its behalf.

3. It has been argued on behalf of the petitioner that, in view of the draft amendment and order dated 29-12-2000, as the appointment has been given and approval has also been accorded to the petitioner as member of Vivekanand Law College, relief (A) of the petition does not survive. Regarding relief (B), he submits that representation Annexure-'L' dated 9-4-1999 has been moved before the Grievance Redressal Committee of the Chief Minister on 9-4-1999 but, the same has not been decided, hence, the petition may be disposed of finally with a direction to the respondent no.1 to dispose of the said representation within a time frame to be fixed by this Court.

4. Shri RC Kodekar, representing the respondent no.1 has no objection to this suggestion. However, since the representation Annexure-'L' has not been made to the respondent no.1, this petition is finally disposed of with a direction to the petitioner to move representation Annexure-'L', with such other additions as may be permissible, to the respondent no.1 within a week from today, and on receipt of the representation, the respondent no.1 shall decide the same through a speaking order within a period of four weeks from the date of receipt of such representation. Nothing more survives in this petition, which is disposed of accordingly.

January 15, 2001. [ D.C. Srivastava, J.]

/sakkaf